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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/681,634	10/08/2003	Prakash Parayil Mathew	138065UL (MHM 15115US01)	6101
23446	7590	10/31/2006	EXAMINER	
MCANDREWS HELD & MALLOY, LTD 500 WEST MADISON STREET SUITE 3400 CHICAGO, IL 60661			RAMIREZ, JOHN FERNANDO	
			ART UNIT	PAPER NUMBER
			3737	

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/681,634	<b>Applicant(s)</b> MATHEW, PRAKASH PARAYIL	
	<b>Examiner</b> John F. Ramirez	<b>Art Unit</b> 3737	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 July 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-27 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

**DETAILED ACTION*****Response to Arguments***

Applicant's arguments filed on July 6, 2006, with respect to the rejection(s) of claim(s) 1-6, 8, 19, 20, 23, 24 and 27 under 102(e), applicant alleges that the Lincoln reference applied to reject such claims was filed August 5, 2004, and claims priority benefit to provisional application 60/501,097, filed September 8, 2003. Applicant declaration under 35 U.S.C. § 1.131, and declaration under 35 U.S.C. § 1.132 in support of declaration under 35 U.S.C. § 1.131, that the applicant invented the subject matter of the pending claims before the filing date of provisional application 60/501,097 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, the following new office action is provided in view of newly found prior art reference(s) in order to expedite the prosecution of this application.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-6, 8, 19, 20, 23, 24, and 27 are rejected under 35 U.S.C. 102(e) as being anticipated by Sasaki et al. (US 6,656,119).

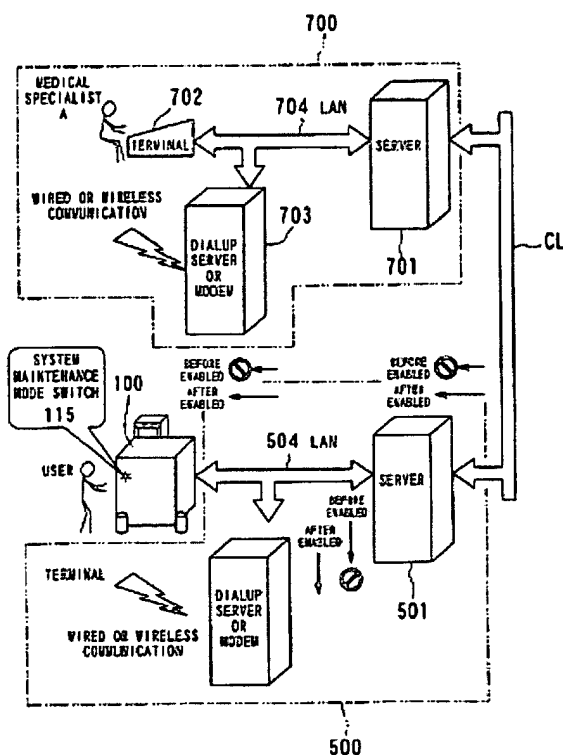


FIG.12

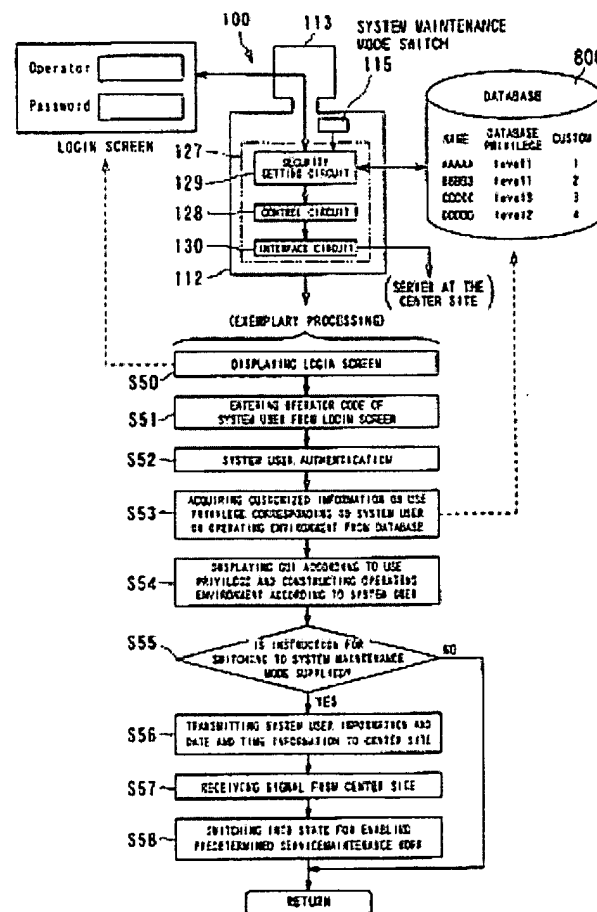


FIG.13

With respect to claims 1-6, 19, 20, and 23 Lincoln shows in figures 2, 12 and 13 an imaging system including a central processing unit (128); a data storage unit (800) in communication with said central processing unit; an imaging device (see Abstract) in electrical communication with said central processing unit; and a biometric authorization unit (column 5, lines 24-62) in electrical communication with said central processing unit, wherein a user inputs a biometric identifier into said biometric authorization unit in order to enable use of the imaging system (see fig. 2 and 13) , wherein biometric data extracted from the biometric identifier is compared with stored biometric data in said data storage unit (column 7, lines 5-31), wherein the stored biometric data is associated with stored personal identification information (column 14, lines 7-13) , and wherein the stored biometric data and the stored personal identification information are stored after an initial registration (column 21, line 62 – column 22, line 15), wherein user preference information is associated with the stored biometric data and with the personal identification information (column 22, line 15), wherein use of the imaging system is allowed when a match exists between the biometric data extracted from the biometric identifier and the stored biometric data, wherein information regarding the use of the imaging system by the user is stored in said data storage unit, wherein the imaging device is an ultrasound probe (see figure 2) and the imaging system is an ultrasound imaging system (column 6, lines 42-63), wherein the biometric identifier is at least one of a fingerprint, handprint, voice, iris, retina, and facial thermogram (column 5, lines 54-58), further comprising; storing individual imaging preferences for the medical imaging

system as user preference information and associating the user preference information (column 2, lines 9-21).

With respect to claims 24 and 27, discloses a method of using audio/video equipment comprising: registering to use the audio/video equipment by inputting biometric data; storing the biometric data; and enabling use of the audio/video equipment when biometric data input after said registering matches the stored biometric data, and wherein the audio/video equipment is one of a television (125, fig. 2), camera, CD player, DVD player, and car stereo (column 9, lines 10-44, column 5, lines 25-62).

**Note:** “ In a typical imaging system, short bursts of ultrasound energy are directed into a patient's body with a handheld transducer. The returning reflected energy, or echos, are received by the same transducer. The signals representing the reflected energy are processed and formatted into a video image of the target region.”

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 7, 9, 10-18, 21, 22, 25, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al. in view of Stearns et al. (US 6,337,481).

The Sasaki et al. patent teaches all the limitations of the claimed subject matter except for mentioning specifically wherein the imaging system is a medical imaging

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system including one of a Computed Tomography (CT), X-ray, Positron Emission Tomography (PET), Single Photon Emission Computed Tomography (SPECT), Electron Beam Tomography (EBT), Magnetic Resonance (MR), and image-guided surgery system, wherein a medical imaging network comprising a plurality of medical imaging systems in communication with one another, further comprising a central management station in communication with each of said plurality of medical imaging systems, and allowing said registering step by inputting a password.

However, the limitations wherein the imaging system is a medical imaging system including one of a Computed Tomography (CT), X-ray, Positron Emission Tomography (PET), Single Photon Emission Computed Tomography (SPECT), Electron Beam Tomography (EBT), Magnetic Resonance (MR), and image-guided surgery system, wherein a medical imaging network comprising a plurality of medical imaging systems in communication with one another, further comprising a central management station in communication with each of said plurality of medical imaging systems, and allowing said registering step by inputting a password are considered conventional in the art as evidenced by the teachings of Stearns et al. (US 6,337,481).

The Stearns et al. patent teaches the limitations wherein the imaging system is a medical imaging system including one of a Computed Tomography (CT), X-ray, Positron Emission Tomography (PET), Single Photon Emission Computed Tomography (SPECT), Electron Beam Tomography (EBT), Magnetic Resonance (MR), and image-guided surgery system, wherein a medical imaging network comprising a plurality of medical imaging systems in communication with one another, further comprising a

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central management station in communication with each of said plurality of medical imaging systems, and allowing said registering step by inputting a password.

Based on the above observations, for a person of ordinary skill in the art, modifying the system disclosed by Sasaki et al., with the above discussed enhancements would have been considered obvious because such modifications would provide remote services to the imaging system, transmitting and receiving imaging data via a network to a remote facility.

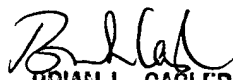
### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John F. Ramirez whose telephone number is (571) 272-8685. The examiner can normally be reached on (Mon-Fri) 7:30 - 4:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian L. Casler can be reached on (571) 272-4956. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JFR  
10/16/06

  
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SUPERVISORY PATENT EXAMINER  
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